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KAREN E. RUSHING
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SARASOTA COUNTY, FLORIDA
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**CERTIFICATE OF AMENDMENT TO THE AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM OF SARASOTA VILLAGE GARDENS
CORRECTING SCRIVENER'S ERROR**

THIS CERTIFICATE OF AMENDMENT is executed this 28th day of APRIL, 2005, by SARASOTA VILLAGE GARDENS CONDOMINIUM ASSOCIATION, INC., a Florida not-for-profit corporation (hereinafter "Association").

RECITALS

WHEREAS, the Association has been established for the operation of Sarasota Village Gardens, in accordance with the Amended and Restated Declaration of Condominium of Sarasota Village Gardens that was recorded in Official Records Book 1849, Page 29 of the Public Records of Sarasota County, Florida, as amended from time to time ("Original Declaration"); and,

WHEREAS, the Plat of Village Gardens was recorded in Condominium Plat Book 15, Page 39 of the Public Records of Sarasota County, Florida ("Plat"); and,

WHEREAS, Article III(C) of the Original Declaration described the boundaries of the Unit as "that part of each unit lying within the vertical and horizontal boundaries *as established by the condominium plat*"; and, [Emphasis added]

WHEREAS, the Plat provided that the horizontal Unit Boundaries extended to "the plane of the unfinished *exterior* surface of the concrete block walls, including all exterior windows and doors and the planes extended vertical upward from the edges of the patio slab." [Emphasis added]

WHEREAS, a revised Amended and Restated version of the Declaration was properly adopted and recorded on December 17, 2004 in Instrument Number 2004239880 ("Current Declaration"); and,

WHEREAS, Article 6.1(C) of the Current Declaration contains a scrivener's error in that it provides that "the vertical boundaries of each Unit shall be the vertical planes of the unfinished *interior* surfaces of the walls bounding the Unit extended to their intersections with each other and the upper and lower boundaries." [Emphasis added]

WHEREAS, it was not the intent of the members of the Association to alter the boundaries of the Unit, and the necessary approval to alter the boundaries of the Units required by Florida Statutes Section 718.110(4) was not obtained.

NOW THEREFORE, the Association does hereby state as follows:

1. The foregoing recitals are true and correct and are incorporated herein by reference.
2. All present and future Members of the Association shall be bound by this correction of the scrivener's error in Article 6.1(C) of the Current Declaration as follows:



New language is indicated by underscoring type.
Deleted language is indicated by ~~struck through~~ type.

The vertical boundaries of each Unit shall be the vertical planes of the unfinished ~~interior~~ exterior surfaces of the walls bounding the Unit extended to their intersections with each other and the upper and lower boundaries.

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 28th day of APRIL, 2005.

WITNESSES:

Sarasota Village Gardens
Condominium Association, Inc.,
a Florida not for profit corporation

[Signature]
Print Name: JAMES P FESTA

By: [Signature], President

[Signature]

DOUGLAS ROSS

Print Name: CHARLOTTE MARONE

[Signature]
Print Name: JAMES P FESTA

By: [Signature], Secretary

[Signature]

SANDRA C. LEWIS

Print Name: CHARLOTTE MARONE

(Seal of Corporation)

STATE OF FLORIDA
COUNTY OF SARASOTA

The foregoing instrument was acknowledged before me this 28th day of APRIL, 2005, by DOUGLAS ROSS and SANDRA LEWIS as President and Secretary, respectively, of Sarasota Village Gardens Condominium Association, Inc., a Florida not-for-profit Corporation. They (are personally known to me) or (have produced _____ as identification).



Elise Angeloro
My Commission DD371106
Expires November 11, 2008

[Signature]
Signature of Notary Public

Print name ELISE ANGELORO